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October 7, 2016

Hon. Ann M. Donnelly
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Whitehead v. Haggett (12-cv-04946)

Dear Judge Donnelly:

Enclosed herewith, please find additional trial transcripts from People of the State of New York v. Whitehead, Suffolk Cty. Ind. No. 539-2007. Unfortunately, we have not been able to locate the entirety of the trial transcript.

This office initially prepared a New York State appeal of Mr. Whitehead's conviction. In preparation for this appeal, we obtained a complete transcript of Mr. Whitehead's trial. The appendix method was used for the record on appeal, and accordingly complete transcripts were not submitted, but rather relevant extracts. In the course of preparing this appeal, many transcripts were disassembled, heavily marked, and partial copies were made of them. Many of these extracts of the transcripts became the primary documents from which this office has worked in subsequent litigation.

After this Court directed this office to file a complete trial transcript, a partial transcript reflecting only two days was filed in error. This was due to a misapprehension of which documents were missing from the Court's file. This office has since performed a search of its files to locate the complete transcript.

It appears that a storage box containing parts of the trial transcript was labelled incorrectly during an office move. Associates of this office have spent several hours combing through stored files, but have only been able to locate the attached transcripts.

Accordingly, the defense respectfully submits the transcripts for the following trial dates:

- February 5, 2008
- March 17, 2008
- March 18, 2008
- March 20, 2008
- March 25, 2008
- March 26, 2008

This office has contacted the Suffolk County District Attorney's Office regarding the missing transcripts and will continue to seek to locate them. To the extent we are unable to obtain any transcripts from that office we will re-order them from the reporters as necessary.

Respectfully submitted

/s/

James Kousouros